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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **WESTERN DIVISION**

11 DARYL ARMSTEAD,  
12                                      Petitioner,

13 v.

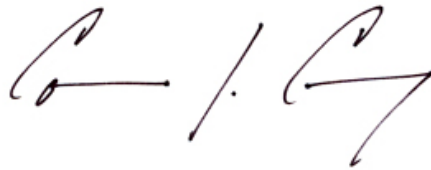
14 MOTI RAGHUNATH, et al.,  
15                                      Respondent.  
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No. CV 07-2246-CJC (AGR)

ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION

17 Pursuant 28 U.S.C. § 636, the Court has reviewed the entire file de novo,  
18 including the Petition, the Magistrate Judge's Report and Recommendation, the  
19 Objections to the Report and Recommendation, and all records in the file. Having  
20 made a de novo determination, the Court agrees with the recommendation of the  
21 Magistrate Judge.

22 IT IS ORDERED that (1) the Report and Recommendation is adopted; (2)  
23 Defendant's motion for summary judgment is granted; (3) Plaintiff's motion for leave  
24 to amend the Second Amended Complaint is denied; and (4) this action is dismissed  
25 with prejudice.

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27 DATED: December 1, 2009

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CORMAC J. CARNEY  
UNITED STATES DISTRICT JUDGE